

### **DETAILED ACTION**

1. This Office Action is a response to the remarks filed July 31, 2008. Claims 14 and 26 have been amended; claim 43 has been added; claims 1-13, 21-25, 28 and 29 have been cancelled.
2. In view of the amendment(s) and remarks, the rejection of claims 2-8, 11-15, 21-27, 29 and 30 under 35 U.S.C. 103(a) as being unpatentable over Schaubert (EP 0682 046 A1) in view of Mueller et al. (U. S. Patent 5,098,550); the rejection of claims 14 and 31-41 under 35 U.S.C. 103(a) as being unpatentable over Mueller et al. (U. S. Patent 5,098,550) in view of Schaubert (EP 0682 046 A1); the rejection of claims 14 and 31-41 under 35 U.S.C. 103(a) as being unpatentable over Mueller et al. (U. S. Patent 5,098,550) in view of Neunier et al. (U. S. Patent 4,758,365); the rejection of claims 14 and 31-41 under 35 U.S.C. 103(a) as being unpatentable over Mueller et al. (U. S. Patent 5,098,550) in view of Esso Co. (GB 906,412); and the rejection of claims 14 and 31-41 under 35 U.S.C. 103(a) as being unpatentable over Mueller et al. (U. S. Patent 5,098,550) in view of Liesen et al. (EP 1 086 964 A2) have been withdrawn.
3. Claims 14, 15, 26, 27, and 31-43 are now pending.

### **EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Kirsten A. Grueneberg (Reg. No. 47,297) on January 27, 2009.

5. Claim 14, line 12: after the word "comprises" delete the words "in polymerized form" and insert --a copolymer of --.

***Allowable Subject Matter***

6. Claims 14, 15, 26, 27, and 31-43 are allowed.

7. The following is examiner's statement of reasons for allowance:

The present claims are allowable over the closest reference: Mueller et al. (U. S. Patent 5,098,550).

Mueller discloses a method for the solvent dewaxing of petroleum products containing wax, particularly of petroleum oil distillates, by the use of at least one solvent suitable for dewaxing and of a polymeric dewaxing aid comprising a polyacrylate, the products to be dewaxed being mixed with the solvent and the polymeric dewaxing aid, the mixture obtained being chilled, and the precipitated wax being separated, which method is characterized in that the dewaxing aid used is a polymer mixture.

With regard to the petroleum stocks, which are amenable to dewaxing, the method does not appear to have any definite limitations. From a practical point of view, however, it is particularly well suited for waxy distillate oils, especially those with a boiling range from about 300°C to about 600°C, a density of about 0.08 to 0.09 g/cc at 15°C, a viscosity of about 10 to 20 cSt/100°C, a pour point of about 30°C to 50°C, and a dry wax content of about 10 to about 25 weight percent. Most desirable are distillate oil

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fractions, which include lubricating oils and specialty oils boiling within the range of 3000 C to 600°C, and preferably those with a mid-boiling point of about 400°C to 450°C (col. 2, line 19 through col. 4, line 55).

Mueller discloses that the most widely used commercial process for the dewaxing of waxy petroleum oils employs solvents, mainly low-boiling aliphatic hydrocarbons such as pentane, hexane, heptane, octane, etc.; ketones such as acetone, methylethyl ketone, methylisobutyl ketone, etc.; aromatic hydrocarbons such as benzene, toluene, xylene, etc.; and mixtures of solvents. Here, too, the wax-containing oil which has been mixed with the solvent is chilled until the wax precipitates in the form of fine particles (col. 1, lines 21- 30).

However, Muller et al. do not disclose or fairly suggest the claimed method for solvent deparaffinization of paraffinic mineral oil distillates, comprising particularly an addition a dewaxing additive and a solvent to said paraffinic mineral oil distillates, to obtain a solvent-paraffinic mineral oil mixture, and cooling the solution to below -20°C at a defined rate, thereby forming paraffin crystals which form a filter cake which is porous and permeable to the solution, as per newly amended claim 14.

8. As of the date of this Notice of Allowability, the Examiner has not located or identified any reference that can be used singularly or in combination with another references including Muller et al. to render the present invention anticipated or obvious to one of ordinary skill in the art.

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9. In the light of the above discussion, it is evident as to why the present claims are patentable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delay, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reason for Allowance".

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL M. BERNSHTEYN whose telephone number is (571)272-2411. The examiner can normally be reached on M-Th 8-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on 571-272-1302. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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